

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 14332US02

PATENT

In the Application of:

Jeyhan Karaoguz, et al.

Serial No.: 10/667,857

Filed: September 22, 2003

For: MEDIA SEARCH ENGINE FOR A
PERSONAL MEDIA NETWORK

Examiner: Wang, Liang Che A.

Group Art Unit: 2155

Confirmation No.: 1392

Electronically Filed On July 26, 2007

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Applicants request review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal.

The review is requested for the reasons stated on the attached sheets.

Respectfully submitted,

Date: July 26, 2007

By: /Joseph M. Butscher/
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REMARKS

The present application includes pending claims 1-32, all of which have been rejected. Claims 1-7, 10-18, 21-25 and 28-30 stand rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 7,065,778 ("Lu"). Claims 8, 9, 19, 20, 26, 27, 31 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of United States Patent No. 6,963,358 ("Cohen").

Lu does not anticipate claims 1-7, 10-18, 21-25 and 28.30. *See* June 21, 2007 Response at pages 10-13. Claim 1 of the present application recites "first and second associated network protocol address **representing members of a pre-defined group of users**, where the predefined group of users **is defined based on authorization by a user of the members.**" Lu, on the other hand, merely discloses that a user of a personal video recorder (PVR) requests delivery of a specific television show, at which point a server computer arbitrarily locates another PVR in a particular broadcast area to record the show for the requesting PVR. *See id.* at pages 10-11. There is nothing in Lu that describes, teaches or suggest first and second associated network protocol address **representing members of a pre-defined group of users**, where the predefined group of users **is defined based on authorization by a user of the members,**" as recited in claim 1. Independent claims 12, 23 and 28 also recite similar limitations. Thus, for at least these reasons, the Office Action has not established a *prima facie* case of anticipation with respect to claims 1, 12, 23, 28 or any of the claims that depend therefrom. Indeed, these claims should be in condition or allowance.

The portions of Lu that the Office Action relies on as supporting the rejections do not describe, teach or suggest the relevant limitations. *See id.* at pages 11-13. As such, the Office Action has not established a *prima facie* case of anticipation.

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Next, the proposed combination of Lu and Cohen does not render claims 8, 9, 19, 20, 26, 27, 31 and 32 unpatentable. *See id.* at page 13.

The Applicants respectfully submit that the Office Action has not established a *prima facie* case of anticipation or obviousness with respect to any of the pending claims for at least the reasons discussed above and request that the outstanding rejections be reconsidered and withdrawn.

The Commissioner is authorized to charge any necessary fees, including the \$500 fee for the Notice of Appeal, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: July 26, 2007

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